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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
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11 DAVID MICHAEL MARTINEZ,) No. ED CV 12-01170-MMM(VBK)
12 Plaintiff,)
13 v.) ORDER TO SHOW CAUSE RE
14 E. LEON, et al.,) DISMISSAL
15 Defendants.)
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17 On July 20, 2012, David Michael Martinez (hereinafter
18 referred to as "Plaintiff") filed a civil rights complaint
19 pursuant to 42 U.S.C. §1983 against Defendants San Bernardino
20 County Deputy Sheriffs E. Leon, R. Shaver, C. Brandt, Earl Seratt
21 and the San Bernardino County Sheriff's Department. (Complaint at
22 3-4.) Plaintiff alleges on March 6, 2012 Defendants used
23 excessive force while arresting him. (Complaint at 5.) Plaintiff
24 listed his address as 9500 Etiwanda Ave., Rancho Cucamonga,
25 California 91739.

26 On July 20, 2012, the Court issued an "Order re Leave to
27 File Action Without Prepayment of Full Filing Fee." The Court
28 ordered an initial partial filing fee of \$10.00 be paid within 30

1 days of the Order.

2 On August 2, 2012, the Court was informed that Plaintiff is
3 no longer at that address. (See, "Out of Custody", Docket No. 5.)

4 Central District Local Rule 41-6 provides:

5 "DISMISSAL - FAILURE OF PRO SE PLAINTIFF TO KEEP COURT
6 APPRISED OF CURRENT ADDRESS - A party appearing pro se
7 shall keep the Court apprised of such party's current
8 address and telephone number, if any, and e-mail
9 address, if any. If mail directed by the Clerk to a
10 pro se Plaintiff's address of record is returned
11 undelivered by the Post Office, and if within fifteen
12 (15) days of the service date, such Plaintiff fails to
13 notify, in writing, the Court and opposing parties of
14 said Plaintiff's current address, the Court may dismiss
15 the action with or without prejudice for want of
16 prosecution."

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18 Within 15 days of the date of this Order, Plaintiff will
19 notify the Court of his current address, and, if applicable,
20 telephone number. Plaintiff is advised that if he fails to
21 apprise the Court of his current address, the Court will issue a
22 Report and Recommendation of United States Magistrate Judge
23 recommending the action be dismissed with prejudice for want of
24 prosecution.

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26 DATED: August 7, 2012

27 /s/
VICTOR B. KENTON
UNITED STATES MAGISTRATE JUDGE